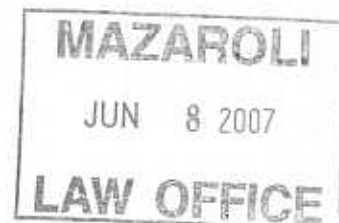


DLM REF.: 6C-1365

WAIVER OF SERVICE OF SUMMONS



TO: David L. Mazaroli, Attorney for Plaintiff

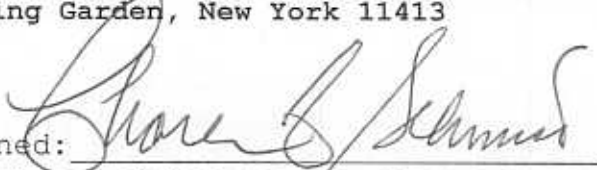
I acknowledge receipt of your request that I waive service of a summons in the action of **VIGILANT INSURANCE COMPANY v. BAX GLOBAL INC., et al.** which is case number **07 CIV. 3373 (SHS)** in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without costs to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after **May 7, 2007**, or within 90 days after that date if the request was sent outside the United States.

BAX Global Inc.  
BAX Global  
230-79 Rockaway Boulevard  
Spring Garden, New York 11413

Signed: 

Name: CHARLES E. SCHMIDT

Title: ATTORNEY

Company: ON BEHALF OF BAX GLOBAL INC.

Date \_\_\_\_\_